

6/6

Notice of Allowability

Application No.

10/046,334

Examiner

Jamal A. Fox

Applicant(s)

FOSTER ET AL.

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable. PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed) a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/18/2005.
2. ☒ The allowed claim(s) is/are 1-6, 8-15, 18-30, 33-37 and 39-42, which have been renumbered as 1-36, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>9/12/05 & 11/18/05</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>01262006</u> 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|--|

Allowable Subject Matter

1. Claims 1-6, 8-15, 18-30, 33-37 and 39-42, which have been renumbered as 1-36 respectively, are allowed.
2. The following is an examiner's statement of reasons for allowance: Regarding claims 1-36, the prior art of record fails to teach of a network manager for establishing a path between a source node and a destination node through a network of switches, comprising: wherein the data is changed from an InfiniBand frame to a Fibre Channel frame. The closest reference, Leitner et al. (U.S. Patent No. 6,775,719), teaches of a network for establishing a path between a source node and a destination node through a network of switches, comprising: a component that identifies switches forming a path between the source and destination nodes, a component that identifies a virtual address for sending data from the source to the destination node and a component that configures the switches to route data to the virtual address where the data is an InfiniBand frame, but does not teach of a network manager for establishing a path between a source node and a destination node through a network of switches, comprising: wherein the data is changed from an InfiniBand frame to a Fibre Channel frame.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Chun M. Ng. on 1/31/2006 at 4:15 PM EST.

Claim 1, line 11, after "Channel", --compatible-- has been deleted.

Claim 1, line 11, after "Channel", --, wherein the data is changed from an InfiniBand frame to a Fibre Channel frame-- has been inserted.

Claim 10, line 10, after "frame", --, wherein the InfiniBand frame is changed to a Fibre Channel frame-- has been inserted.

Claim 23, line 9, after "frame", --, wherein the InfiniBand frame is changed to a Fibre Channel frame-- has been inserted.

Claim 31 has been Cancelled.

Claim 37, line 9, after "device", --wherein the data is an InfiniBand frame, wherein the InfiniBand frame is changed to a Fibre Channel frame-- has been inserted.

Claim 38 has been Cancelled.

Claim 44 has been Cancelled.

Conclusion

4. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to:


(571) 273-8300, (for formal communications intended for entry)

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (571) 272-3143. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to 2600 Customer Service whose telephone number is (571) 272-2600.


Jamal A. Fox


WELLINGTON CHIN
SENIOR PATENT EXAMINER